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6 Attorneys for Defendants
7 OAKLAND UNIFIED SCHOOL DISTRICT,
KIMBERLY STATHAM and GOVERNING BOARD OF
THE OAKLAND UNIFIED SCHOOL DISTRICT

8 IN THE UNITED STATES DISTRICT COURT
9 FOR THE NORTHERN DISTRICT OF CALIFORNIA

10 FARM MENG SAEPHAN,

Case No. C 06 4428 JCS

11 Plaintiff,

12 vs.

13 OAKLAND UNIFIED SCHOOL DISTRICT;
14 KIMBERLY STATHAM, State Administrator of the
Oakland Unified School District; GOVERNING
BOARD OF THE OAKLAND UNIFIED SCHOOL
15 DISTRICT,

16 Defendants.

STIPULATION AND [PROPOSED] ORDER
CONTINUING APRIL 4, 2008 FURTHER
CASE MANAGEMENT CONFERENCE TO
MAY 30, 2008

17 Plaintiff FARM MENG SAEPHAN and Defendants OAKLAND UNIFIED SCHOOL
18 DISTRICT; KIMBERLY STATHAM, State Administrator of the Oakland Unified School District;
19 GOVERNING BOARD OF THE OAKLAND UNIFIED SCHOOL DISTRICT, (collectively
20 "Defendants"), by and through their respective attorneys of record, agree as follows:

21 WHEREAS, the parties have entered into a settlement in principle and are presently
22 engaged in negotiating and drafting the terms of the settlement agreement which would lead to the
23 potential resolution of this matter in its entirety, with drafts of the settlement agreement transmitted
24 from Defendants' counsel to Plaintiff's counsel on December 11, 2007; from Plaintiff's counsel to
25 Defendants' counsel on January 14, 2008; from Defendants' counsel to Plaintiff's counsel on
26 February 20, 2008; and written comments transmitted from Plaintiff's counsel to Defendants'

1 counsel on March 18, 2008;

2 WHEREAS, because of the relative complexity of the anticipated settlement, the parties
3 remain engaged in negotiating and drafting the terms of the settlement agreement, and have
4 narrowed the matters at issue which remain to be negotiated and potentially resolved;

5 WHEREAS, the parties remain confident that they will arrive at a mutually-agreeable
6 settlement agreement;

7 WHEREAS, the parties wish to avoid burdening the Court with potentially avoidable
8 proceedings regarding this matter;

9 WHEREAS, the attorneys for Defendants responsible for negotiating the settlement are
10 unavailable from Monday, March 24 through Monday, March 31, 2008 and Plaintiff's counsel is
11 anticipated to be in trial from approximately April 1 through 4, 2008;

12 WHEREAS, the parties anticipate that any settlement agreement should be finalized by May
13 20, 2008;

14 WHEREAS, the parties appreciate the Court's ongoing consideration and patience in
15 allowing them ample time to arrive at a potential mutually agreeable final settlement; and

16 WHEREAS, a further case management conference is presently set for April 4, 2008 at
17 10:30 a.m.;

18 IT IS THEREFORE STIPULATED AND RESPECTFULLY REQUESTED that the Court (1)
19 continue the April 4, 2008 further case management conference to Friday, May 30, 2008 at 1:30
20 p.m. and (2) require the parties to file by Tuesday, May 20, 2008 an updated case management
21 statement and [proposed] order which sets forth new proposed deadlines and cutoff and trial dates

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1 regarding those which were vacated by this Court's December 4, 2007 Order.

2 **IT IS SO STIPULATED.**

3 Dated: March 24, 2008

DEBORAH A. COOKSEY
Interim General Counsel

5 By: /s/

Michael L. Smith
Attorneys for Defendants

7 Dated: March 24, 2008

THE LEGAL AID SOCIETY
Christopher Ho

9 By: /s/

Christopher Ho
Attorneys for Plaintiff

11 GOOD CAUSE APPEARING, IT IS HEREBY ORDERED that (1) the April 4, 2008 further
12 case management conference is continued to Friday, May 30, 2008 at 1:30 p.m. in Courtroom A
13 and (2) the parties are required to file by Tuesday, May 20, 2008 an updated case management
14 statement and [proposed] order which sets forth new proposed deadlines and cutoff and trial dates
15 regarding those which were vacated by this Court's December 4, 2007 Order.

16 **IT IS SO ORDERED.**

17 Dated: March 24, 2008

